IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.9986 OF 2004

Prakash Alias Balasaheb Tukaram Godse. ...Petitioner.
Vs.
Bharat Tukaram Godse. ...Respondent.

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Mr. A.M. Riyaz for the Petitioner.
Mr. R.D. Soni i/b. Ram & Co. for Respondent No.5.
Mr. A.H. Palekar, AGP for Respondent Nos.8 to 13.

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CORAM : DR.D.Y.CHANDRACHUD, J.

April 26, 2005.

P.C.:

No case for interference under Article 227 of the Constitution has been made out in respect of the order of the Additional District Judge, dismissing the appeal against an interim order of the the Civil Judge, Senior Division. The application for the grant of interim injunction that has been preferred by the Petitioner is rejected. It has been found that the Petitioner is a party to the development agreement under which consideration has flowed. Counsel appearing on behalf of the Petitioner states that a notice of lis pendens has already been lodged. In that view of the matter, no case for interference is made out. The Writ Petition is rejected.

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